

RM-8976

ANN BAVENDER*
ANNE GOODWIN CRUMP*
VINCENT J. CURTIS, JR.
RICHARD J. ESTEVEZ
PAUL J. FELDMAN*
ERIC FISHMAN*
RICHARD HILDRETH
FRANK R. JAZZO
ANDREW S. KERSTING*
KATHRYN A. KLEIMAN
EUGENE M. LAWSON, JR.
HARRY C. MARTIN
GEORGE PETRUTSAS
LEONARD R. RAISH
JAMES P. RILEY
KATHLEEN VICTORY*
HOWARD M. WEISS

*NOT ADMITTED IN VIRGINIA

FLETCHER, HEALD & HILDRETH, P.L.C.

ATTORNEYS AT LAW

11th FLOOR, 1300 NORTH 17th STREET

ROSSLYN, VIRGINIA 22093-3801

(703) 812-0400

TELECOPIER

(703) 812-0486

INTERNET

office@fhf-telcomlaw.com

FRANK U. FLETCHER
(1939-1985)
ROBERT L. HEALD
(1956-1983)
PAUL D.P. SPEARMAN
(1936-1962)
FRANK ROBERSON
(1936-1961)
RUSSELL ROWELL
(1948-1977)

RETIRED
EDWARD F. KENEHAN

CONSULTANT FOR INTERNATIONAL AND
INTERGOVERNMENTAL AFFAIRS
SHELDON J. KRYS
U. S. AMBASSADOR (ret.)

OF COUNSEL
EDWARD A. CAINE*

WRITER'S NUMBER
(703) 812-

DO NOT FILE COPY ORIGINAL

RECEIVED

JAN 15 1997

January 15, 1997

U.S. FEDERAL COMMUNICATIONS
COMMISSION
OFFICE OF SECRETARY

BY HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: Amendment of Section 73.202(b)
Clayton and Jena, Louisiana

Dear Mr. Caton:

Transmitted herewith, on behalf of Clayton FM Partnership, are an original and four copies of its "Supplement to Petition for Rule Making and Request for Order to Show Cause."

Should any questions arise concerning this matter, please communicate with this office.

Very truly yours,

FLETCHER, HEALD & HILDRETH, P.L.C.

Anne Goodwin Crump

Anne Goodwin Crump

Counsel for Clayton FM Partnership

Enclosures

cc: Robert Hayne, Esquire (with enclosure) **By Hand Delivery**

047

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

RECEIVED

JAN 15 1997

FEDERAL

COMMUNICATIONS COMMISSION

In the Matter of)
)
Amendment of Section 73.202(b),) MM DOCKET NO. 97-____
Table of Allotments,) RM-____
FM Broadcast Stations)
(Clayton and Jena, Louisiana))

Directed to: Chief, Mass Media Bureau

SUPPLEMENT TO PETITION FOR RULE MAKING
AND REQUEST FOR ORDER TO SHOW CAUSE

Clayton FM Partnership ("Clayton FM"), the permittee of Channel 300A, Clayton, Louisiana, by its attorneys, hereby respectfully submits its Supplement to its "Petition for Rule Making and Request for Order to Show Cause," filed September 9, 1996. With respect thereto, the following is stated:

1. As set forth in the attached Engineering Statement, the proposed changes in the Table of Allotments will allow Station KPEL-FM, Erath, Louisiana, to nearly double the number of persons served. The facilities specified in the existing KPEL-FM construction permit will allow the station to serve 357,855 people within its 60 dBu contour. In contrast, the proposed KPEL-FM facilities would serve 700,166 people within the 60 dBu contour. Thus, the station would increase the total number of persons served by 342,311. This great increase in the population served clearly serves the public interest.

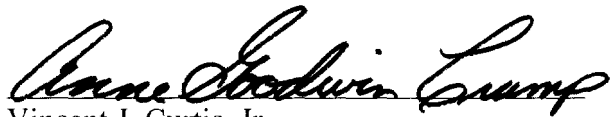
2. Furthermore, the allotment changes proposed would result in a more efficient distribution of frequencies. As shown in the Engineering Statement, much of the currently

authorized KPEL-FM 60 dBu contour falls over water and marshland. The proposed new facilities of KPEL-FM would gain 7,357 square kilometers of new land area covered by the 60 dBu contour. The station would lose only 1,705 square kilometers of land area, made up primarily of marshland and sparsely inhabited farming areas. Thus, the proposed changes would decrease the amount of KPEL-FM's signal wasted over water while increasing the land area and population served. This arrangement would result in a more efficient use of scarce spectrum resources to maximize the public benefit.

3. Regardless of whether KPEL-FM effectuates its proposed changes in its facilities through grant of its pending modification application, Clayton FM hereby reaffirms its intent to apply for a modified construction permit and to construct its facilities on Channel 274A and the reimbursement commitment with regard to the reasonable expenses of Station KJNA-FM, Jena, provided that the requested changes in the Table of Allotments are made.

Respectfully submitted,

CLAYTON FM PARTNERSHIP

By: 
 Vincent J. Curtis, Jr.
 Anne Goodwin Crump

Its Attorneys

FLETCHER, HEALD & HILDRETH, P.L.C.
 1300 North 17th Street
 Eleventh Floor
 Rosslyn, Virginia 22209
 (703) 812-0400

January 15, 1997

agc/#88/supprm.cfm

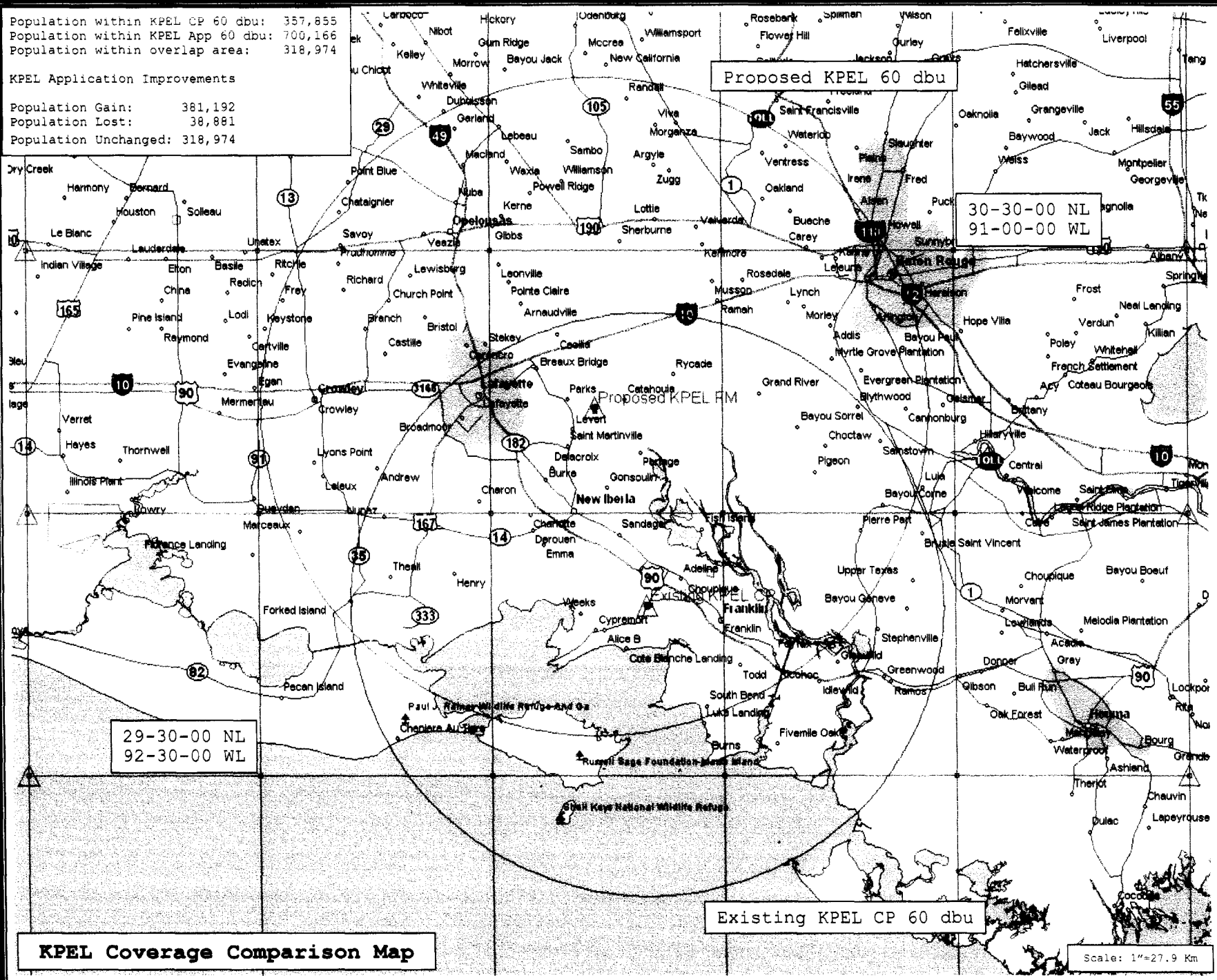
Engineering Statement

The proposed KPEL C1 application 60 dbu contour covers 700,166 people. The existing KPEL CP 60 dbu contour covers 357,855 people. Should the KPEL C1 application be granted, 38,881 people would lose 60 dbu coverage while 381,192 people would gain 60 dbu coverage. 318,974 people would remain covered by the 60 dbu contour under the new proposal. New land area covered by the 60 dbu contour of the KPEL application is 7357 sq km. Land losing 60 dbu coverage under the new proposal is 1705 sq km of essentially marshland and sparsely inhabited farming areas.

Population within KPEL CP 60 dbu: 357,855
 Population within KPEL App 60 dbu: 700,166
 Population within overlap area: 318,974

KPEL Application Improvements

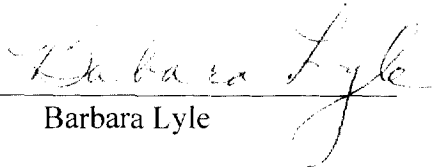
Population Gain: 381,192
 Population Lost: 38,881
 Population Unchanged: 318,974



CERTIFICATE OF SERVICE

I, Barbara Lyle, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C., do hereby certify that a copy of the foregoing "Supplement To Petition For Rule Making And Request For Order To Show Cause" was sent this 15th day of January, 1997, by first-class United States mail, postage prepaid, to:

Little River Radio Company
Station KJNA-FM
2nd & Elm Streets
Jena, LA 71342



Barbara Lyle